

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES LATTNER,

Petitioner,

Civil No. 05-60206  
Criminal No. 01-80640-01

v.

Hon. John Corbett O'Meara

UNITED STATES OF AMERICA,

Respondent.

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**ORDER DENYING PETITIONER'S  
MOTION FOR RECONSIDERATION**

Before the court is Petitioner's motion for reconsideration, filed August 14, 2006.

Petitioner seeks reconsideration of this court's July 24, 2006 order denying his motion to vacate sentence. No response was ordered and no oral argument was heard. See LR 7.1(g)(2). Pursuant to Local Rule 7.1(g)(1) (E.D. Mich. Sept. 8, 1998), Petitioner's motion is untimely, because it was not filed within ten days of the entry of the order at issue.

Even if Petitioner's motion was timely, Petitioner has not met the standard for granting a motion for reconsideration.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(g)(3).

Having filed a motion for reconsideration that presents the essentially the same issues ruled upon by the court, Petitioner has failed to demonstrate a palpable defect by which the court

